

Revised
SESSION OF 2004

**SUPPLEMENTAL NOTE FOR SENATE SUBSTITUTE
FOR HOUSE BILL NO. 2133**

As Amended by Senate Committee on
Judiciary

Brief*

Senate Substitute for HB 2133 would amend statutes relating to county sheriffs and their appointment of special deputies and to expand the scope of multi-jurisdictional law enforcement groups. The bill deletes a provision which limits the authority of county sheriffs to appoint special deputies to those counties with a population over 100,000. The bill expands the purpose for which special deputies may be appointed to include the provision of crime prevention services or security services. The bill allows special deputies to act in the event of terroristic attack.

The bill also amends a statute authorizing cooperative efforts between sheriffs of border counties in this state to enter into agreements to form multi-jurisdictional law enforcement groups with political subdivisions of other states to cover prevention detection, or investigation of terroristic attacks.

Background

HB 2133 as it passed the House set up a mechanism for municipal courts to contract with an agent for debt collection services for debts owed to the court or restitution owed under a court order. The fee paid to such an agent cannot exceed 33 percent of the amount collected. The cost of collection shall be paid from the amount collected but shall not be deducted from the debt owed to the court or restitution.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Other features of the original bill include the following:

- ! As of July 1, 2003, any beneficiary of an order for restitution may use the collection services to collect any outstanding amounts;
- ! When collection services are used for debts, all amounts will be applied to debts owed the court;
- ! When collection services are used for restitution all amounts will be paid to the beneficiary except where there has been a recovery from the Crime Victims Compensation Board, in which case the Board will have subrogation rights;
- ! When there is a debtor who owes debts to the court, restitution and any amounts collected will go first to satisfy debts owed the courts and then toward restitution;
- ! Any collection for debt or restitution may be enforced under the Code of Civil Procedure for Limited Actions;
- ! The collection services will not be used until the debt or restitution remains unpaid for more than 180 days.

The government relations director from the City of Wichita, who requested the original bill, appeared in support of the measure. A conferee from the League of Kansas Municipalities also expressed support for the original bill. An assistant city attorney from Wichita spoke in favor of the bill. Written testimony in support of the measure was received on behalf of the City of Emporia, the Unified Government of Wyandotte County, and the City of Overland Park.

The Senate Committee deleted the provision of HB 2133 as it passed the House and added in the bill the first three sections of SB 389.